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CEMEX CONSTRUCTION MATERIALS  
PACIFIC, LLC

**UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF CALIFORNIA**

ROBERT ROSE and PAUL SIMI, on behalf of  
themselves and those similarly situated,

Plaintiffs,

v.

CEMEX CONSTRUCTION MATERIALS  
PACIFIC, LLC, and DOES 1 through 50,

Defendants.

Case No. 2:23-CV-01979-WBS-AC

**JOINT STIPULATION TO EXTEND  
DISCOVERY CUT-OFF DEADLINE AND  
RELATED TRIAL DEADLINES; ORDER**

Judge:	Hon. William B. Shubb
Complaint Filed	July 6, 2023
Action Removed:	September 13, 2023

THE PARTIES HEREBY STIPULATE AND AGREE AND RESPECTFULLY REQUEST,  
subject to approval by this Court, that the pending deadlines in this matter be continued for a period  
of ninety (90) days as set forth below. The parties contend there is good cause for this request as  
follows.

The parties have been diligently litigating this matter through discovery. During the

1 discovery process various discovery disputes have arisen related to the production of documents and  
2 the setting of depositions, including particularly the breadth of documents to be produced in relation  
3 to the claims and viability of the claims asserted by Plaintiffs. The parties have worked out a process  
4 to resolve their disputes, but in order to do so the parties need to extend the current discovery  
5 deadline by ninety (90) days in order to allow for that process. The parties contend that with such an  
6 extension the parties will alleviate the need to file any motions to compel, and the parties agree that  
7 such time should be sufficient to complete discovery and allow the parties the opportunity to either  
8 resolve this matter or define the issues for law and motion before this Court. Given the need for  
9 additional time for discovery, the parties contend there is good cause for an extension of all the  
10 deadlines so that this matter can be appropriately litigated and that neither party is prejudiced by an  
11 extension of the discovery deadline.

12 Specifically, the parties respectfully request the following modifications to this Court's June  
13 26, 2024 Pretrial Scheduling Order:

- 14 a. Discovery Deadline as defined in the Pretrial Scheduling Order be continued from  
15 November 21, 2025 to February 20, 2026;
- 16 b. Motion Deadline as defined in the Pretrial Scheduling Order be continued from January  
17 30, 2026 to March 27, 2026;
- 18 c. The Final Pretrial Conference be continued from April 20, 2026 to **July 27, 2026 at**  
19 **1:30 p.m.;**
- 20 d. Trial Date be continued from June 16, 2026 to **September 29, 2026 at 9:00 a.m.**

21 The Courtroom Deputy confirmed the availability for the dates for the Final Pretrial  
22 Conference and Trial Date. As noted above, the parties contend that the above modifications are  
23 necessary for the completion of discovery and appropriate resolution of this matter.

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1 Dated: November 5, 2025

BEESON, TAYER & BODINE, APC

3 By: /s/ Sarah S. Kanbar

4 SARAH S. KANBAR

Attorneys for ROBERT ROSE, PAUL  
SIMI AND PUTATIVE CLASS

6 Dated: November 5, 2025

HANSON BRIDGETT, LLP

8 By: /s/ Dorothy S. Liu, as authorized on 11/5/25

DOROTHY S. LIU

Attorneys for Defendant

CEMEX CONSTRUCTION MATERIALS  
PACIFIC, LLC

11 **IT IS SO ORDERED**

12 Dated: November 6, 2025



13 WILLIAM B. SHUBB

UNITED STATES DISTRICT JUDGE